

AMENDED IN ASSEMBLY MAY 26, 2005

AMENDED IN ASSEMBLY APRIL 12, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 1685

Introduced by Assembly Member Klehs

February 22, 2005

An act to amend Section 32255 of, and to repeal and add Section 32255.6 of, the Education Code, relating to agricultural education programs.

LEGISLATIVE COUNSEL'S DIGEST

AB 1685, as amended, Klehs. Education: animal slaughter.

Existing law provides that a pupil with a moral objection to dissecting or otherwise harming or destroying an animal can choose to refrain from participation in an educational project which involves the harmful or destructive use of animals. Existing law provides that a pupil who chooses to refrain can, with the approval of the teacher, complete an alternative educational project in order to obtain the knowledge, information, or experience required by the course of study in question. Existing law exempts classes and activities conducted as part of a program in agricultural education from the foregoing provisions.

This bill would delete the exemption from these provisions for classes and activities conducted as part of a program in agricultural education.

This bill would prohibit the slaughter of any agricultural animal on school grounds, as defined.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 32255 of the Education Code is amended to read:

32255. As used in this chapter:

(a) “Animal” means any living organism of the kingdom animalia, beings which typically differ from plants in capacity for spontaneous movement and rapid motor response to stimulation, by a usually greater mobility with some degree of voluntary locomotor ability, by greater irritability commonly mediated through a more or less centralized nervous system, beings which are characterized by a requirement for complex organic nutrients including proteins or their constituents which are usually digested in an internal cavity before assimilation into the body proper, which are distinguished from typical plants by lack of chlorophyll, by an inability to perform photosynthesis, by cells that lack cellulose walls, and by the frequent presence of discrete complex sense organs.

(b) “Agricultural animal” means any animal listed in Section 16302 of the Food and Agricultural Code, or any other animal used for purposes of a program in agricultural education.

(c) “Alternative education project” includes, but is not limited to, the use of video tapes, models, films, books, and computers, which would provide an alternate avenue for obtaining the knowledge, information, or experience required by the course of study in question. “Alternative education project” also includes “alternative test.”

(d) “Pupil” means a person under 18 years of age who is matriculated in a course of instruction in an educational institution within the scope of Section 32255.5. For the purpose of asserting the pupil’s rights and receiving any notice or response pursuant to this chapter, “pupil” also includes the parents of the matriculated minor.

(e) “Slaughter” means the act of killing ~~or butchering~~ an animal ~~for market, or for any other purpose related to a program in agricultural education.~~

(f) “School grounds” means the campus of any public school operating programs in kindergarten and grades 1 to 12, inclusive, ~~including any site operated by a school or school district as a farm~~ *not including any property owned or operated by a school*

1 *district that is adjacent to or not included within the main*
2 *campus of a school.*

3 SEC. 2. Section 32255.6 of the Education Code is repealed.

4 SEC. 3. Section 32255.6 is added to the Education Code, to
5 read:

6 32255.6. The slaughter of any agricultural animal on school
7 grounds is prohibited.

8 SEC. 4. The Legislature finds and declares that this act is not
9 intended to prohibit or constrain vocational education programs
10 or instruction on the practice of animal husbandry in public
11 schools.

O